



TOWN OF TEWKSBURY COMMUNITY PRESERVATION COMMITTEE

Joint Meeting of the Community Preservation Committee And Historic Commission

Community Preservation Meeting Minutes March 3, 2014

The meeting was called to order at 7:04 p.m. by Nancy Reed, Chair of the Community Preservation Committee.

Present from the Community Preservation Committee were Donna Pelczar, Steve Deackoff, Linda Brabant, and Richard Montuori. Also in attendance was Steve Sadwick, Director of Community Development, and Melissa Johnson, Recording Secretary. Thomas Churchill and Doug Sears were not in attendance.

Present from the Historic Commission were Bill Wyatt, Chairman, Warren Carey, Eileen McDonagh, and Mike Hurton. Robert Hunter and Thomas Churchill were not present.

Also present were Karyn Sliva, and Bill Gilman from the Patch.

1) Discuss and Review information regarding the Marshall Home, 379 Pleasant Street, Historic Preservation Restriction and Community Preservation Act funding

Present was Marc Ginsburg, property owner, and Joe Mercier.

Mrs. Reed reviewed a presentation from the Southeastern Massachusetts Conference for Community Preservation Committees that was held in New Bedford, MA on November 13, 2004 and noted that the information still pertains. Mrs. Reed noted that this is a possible mechanism to preserve historic properties.

Historic Preservation Restrictions are a legal means to provide a high level of long term protection to significant historic properties in use for over 50 years in Massachusetts. The Massachusetts Historical Commission has a statutory role in all Historic Preservation Restrictions. The purpose of a Preservation Restriction is to protect a significant historic property, or site, for a number of years or in perpetuity, and it restricts future changes in appearance or use. Preservation Restrictions are widely used and over 1,000 Massachusetts properties are protected by Preservation Restrictions. Some of the things that can be forbidden or limited by a Preservation Restriction are alterations to exterior and interior features of a building or structure, changes in the appearance or condition of the site, uses not historically appropriate, etc. The Secretary of the Interior's Standards for the Treatment of Historic Properties provides a nationally recognized set of guidelines for preservation,

rehabilitation, restoration, and reconstruction. A copy of the presentation can be found at the Community Development office.

Mrs. Reed explained that in this particular case the exterior of the building is being considered and noted that there are three items that need to be determined: who the owner is (presently Marc Ginsburg), who will hold the restriction in the future, and if it will be for a number of years or in perpetuity. Mrs. Reed noted that the home is eligible to be on the National register but it is not currently. The home is not in a historic district and this should be taken into consideration when determining the restrictions and value thereof.

Mr. Carey noted that he supports this project and thanked Mrs. Reed for her work on this project. Mr. Carey expressed concerns with legal matters and asked what the \$100,000 will be used for and who the money will be paid to. Mrs. Reed explained that the \$100,000 would offset the deed restriction for the Historic Preservation Restriction and would be paid to the owner of the home. All of the necessary documentation must be filed with the Registry of Deeds prior to the funds being issued. Mr. Carey suggested the warrant article be rewritten as it does not fully explain the information provided tonight and Ms. Pelczar agreed. Mrs. Reed explained that the \$100,000 is an estimated compensation for the burden of the Preservation Restriction and is for no other purpose.

Discussion took place on the Battles House; which is another historic home in Tewksbury that currently has a Historic Preservation Restriction. This was done with a private historic society.

Mrs. Reed requested Town Counsel review this matter and Mr. Sadwick confirmed that this is being done.

Mr. Deackoff asked if before and after appraisals will be done and Mrs. Reed explained that both the town and homeowner will be reaching out to banks to see what information they can provide on this. Mr. Deackoff noted that the MHC states that you should get them involved at least 90 days prior and suggested reaching out to them to see if they can help. Mrs. Reed noted that it is very likely that the restrictions will not be ready for the May town meeting.

Mr. Ginsburg explained that there is a value to be considered for the Preservation Restriction; \$100,000 could be too much or too little, but at this time the exact amount is not known. Mr. Ginsburg expressed interests in preserving the home the best he can and explained that it is difficult to determine what the value of the restrictions will be now or in the future. Mr. Ginsburg noted that he has no plans to raze the home and he plans to historically preserve the home either way. Mr. Ginsburg expressed concerns with having formal restrictions and noted that he is willing to try to work with the town to reach this goal. Mrs. Reed noted that the Battles Home has a very extensive restriction and is only being provided as an example. Mr. Ginsburg noted that he would not want any restrictions to go beyond the exterior of the home.

Mr. Ginsburg introduced Mr. Mercier and noted that Mr. Mercier is interested in purchasing the home and would be doing a majority of the work. There is no desire to rush this along and Mr. Ginsburg and Mr. Mercier would prefer to see it done correctly. Mr. Ginsburg suggested waiting to address this at the fall town meeting to allow for additional time to do research. Mrs. Reed noted that this is currently submitted as a draft warrant article and asked if it can be pulled and Mr. Montuori confirmed this.

Mr. Carey noted that he supports continuing to work on the article and that when the Historical Commission reconvenes its meeting he will be making a motion to support this article.

Mr. Wyatt noted that this is the first meeting to start this process and suggested a goal be to identify the work items that have to be done. Mrs. Reed agreed. Mr. Carey noted that both Chairs are in accord that a Restriction is needed no matter what.

Mr. Ginsburg explained that he will likely move forward with the project by starting work inside the home and noted that this does not mean he is not interested in the Preservation Restriction for the exterior.

It was the consensus of those present to continue working on this matter to see if the information can be ready for the May town meeting. Mr. Montuori suggested wording the article in such a manner as to allow for the authorization of an agreement and money so that it can continued to be worked on. Mrs. Reed noted that the article is subject to an agreement being reached; the article requests to set the funds aside for this purpose and is subject to the restrictions being determined and agreed upon. The actual dollar amount can be amended on the town meeting floor. Mr. Deackoff asked if CPA administrative funds can be used to research this matter and Mrs. Reed confirmed this.

Discussion took place on the Battles Home not being the best example to provide as it is rather extensive and lengthy. Mr. Wyatt suggested looking for an example closer to the Marshall Home.

MOTION: Ms. Brabant made the motion to allow the Chairs of the Historical Commission and Community Preservation Committee to work with Mr. Sadwick, Mr. Montuori, and Mr. Ginsburg to gather the necessary information prior to town meeting; in the event the information cannot be gathered in a timely manner the article will be pulled; seconded by Ms. Pelczar and the motion carried 5-0.

The Historic Commission reconvened its meeting. Mrs. Reed suggested taking a brief recess during this time.

8:20 p.m. Mr. Deackoff left and did not return.

New Business

There was no new business.

Old Business

Town Hall Rehabilitation

Mr. Montuori explained that the architect is finalizing the plans for the town hall. During this process, it was determined that the current roof is fake slate. An estimate has been prepared to replace the current roof with shingles (\$30,000), fake/faux slate (\$90,000), and real slate (\$150,000). All of these figures are estimates only. It was the consensus to go with the faux slate.

MOTION: Mr. Montuori made the motion to authorize the expenditure for a faux slate roof for the town hall rehabilitation project; seconded by Ms. Brabant and the motion carried 4-0.

Adjournment

MOTION: Ms. Brabant made the motion to adjourn; seconded by Ms. Pelczar and the motion carried 4-0.

Approved: 1/5/15

List of documents for 3/3/14 Agenda
Documents can be located at the Community Development Office

- 1- Open the combined meeting of the Tewksbury Historic Commission and the Community Preservation Committee.
- 2- Discuss and review information regarding the Marshall Home, 379 Pleasant St, Historic Preservation Restriction and Community Preservation Act funding.
 - a. *Draft Annual Town Meeting Article*
 - b. *Form B – Building Survey – 379 Pleasant Street*
 - c. *Preservation Restrictions and the CPA*
- 3- Town Hall Roof Discussion
- 3- New / Old Business
- 4- Adjourn